



1/14/05 1638 #

TRANSMITTAL FORM

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/766,348
		Filing Date	January 19, 2001
		First Named Inventor	Qiu et al.
		Group Art Unit	1638
		Examiner Name	A. Kubelik
Total Number of Pages in This Submission	18 pages and 10 cited references	Attorney Docket Number	19603/2986 (CRF D-1940B)

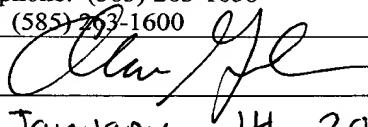
ENCLOSURES (check all that apply)

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Remarks

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Andrew K. Gonsalves Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1658 Fax: (585) 263-1600	
Signature	 Registration No. 48,145	
Date	January 14, 2005	

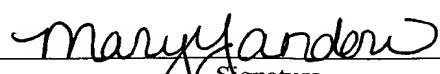
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PATENT
Docket No.: 19603/2986 (CRF D-1940B)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Qiu et al.)
Serial No. : 09/766,348)
Cnfrm. No. : 7683)
Filed : January 19, 2001)
For : HYPERSENSITIVE RESPONSE INDUCED)
RESISTANCE IN PLANTS BY SEED)
TREATMENT)
)

Examiner:
A. Kubelik
Art Unit:
1638

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97-1.98**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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Dear Sir:

In compliance with 37 C.F.R. §§ 1.97 and 1.98, applicants hereby bring to the attention of the U.S. Patent and Trademark Office the enclosed references listed on the attached PTO-1449 form.

The information disclosed in this Information Disclosure Statement was cited in the Supplementary European Search Report for the corresponding European patent application not more than three months prior to the filing of this statement. A copy of the Supplementary European Search Report (dated December 13, 2004) is enclosed.

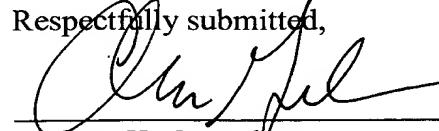
Pursuant to 37 CFR § 1.97(d), applicants hereby submit that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this paper. Further, pursuant to 37 CFR §§ 1.97(d) and 1.17(p), enclosed is a check for \$180.00 to cover the required filing fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 14-1138.

01/21/2005 LWONDIM1 00000043 09766348

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180.00 OP
Date: January 14, 2005

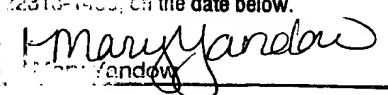
Respectfully submitted,


Andrew K. Gonsalves

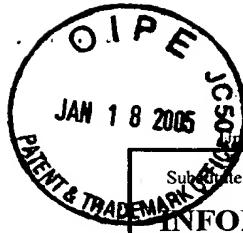
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	09/766,348
Filing Date	January 19, 2001
First Named Inventor	Qiu et al.
Art Unit	1638
Examiner Name	A. Kubelik
Attorney Docket Number	19603/2986 (CRF D-1940B)

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
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FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
1	WO 91/15585		10/17/1991	Rijkslandbouwuniversiteit Wageningen		
2	WO 93/19079		09/30/1993	Washington State University Research Foundation		
3	WO 94/29464		12/22/1994	Sandoz Ltd.		
4	WO 95/31564		11/23/1995	The Gatsby Charitable Foundation		
5	WO 95/35371		12/28/1995	Yoshikawa, Kuniko		
6	WO 96/22016		07/25/1996	Rutgers, The State University of New Jersey		
7	WO 96/28561		09/19/1996	Maxplanck-Gesellschaft Zur Förderung Der Wissenschaften E.V.		
8	WO 96/35790		11/14/1996	John Innes Centre Innovations Limited		
9	WO 97/22242		06/26/1997	Kirin Beer Kabushiki Kaisha		
10	WO 97/45547		12/04/1997	Maxplanck-Gesellschaft Zur Förderung Der Wissenschaften E.V.		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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